

PRG



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,472	07/03/2001	Laszlo Elteto	G&C 30074.30-US-11	3432
22462	7590	10/06/2003	EXAMINER	
GATES & COOPER LLP HOWARD HUGHES CENTER 6701 CENTER DRIVE WEST, SUITE 1050 LOS ANGELES, CA 90045			JACKSON, JENISE E	
			ART UNIT	PAPER NUMBER
			2131	6
DATE MAILED: 10/06/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n N .

09/899,472

Applicant(s)

ELTETO ET AL.

Examin r

Jenise E Jackson

Art Unit

2131

-- The MAILING DATE of this c mmunication appears on the cover sheet with th correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_ .
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6 .
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_ .
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Rallis et al.
3. As per claims 1, 4, Rallis et al. discloses an input device for securing a token from an unauthorized user(see col. 1, lines 46-52), a user interface for accepting entry of a personal identifier from a user(see col. 1, lines 61-65); a processor, communicatively coupled to the user interface(see col. 2, lines 45-50); a token interface(see fig. 1A, sheet 1), including: a token interface emitter, for producing a signal having information including the personal identifier, the token interface emitter communicatively coupled to the processor and further communicatively coupled to a token sensor when the token is physically coupled with the token interface(see fig. 6A, sheet 11, col. 5, lines 44-48, 51-57); and a shield, substantially opaque to the signal, for substantially confining reception of the signal to the token sensor, Rallis et al. inherently discloses this, because Rallis discloses a user aligns the IR key device with the IR port, and transmits a message that includes the key device and serial number, and the encryption key(see col. 5, lines 51-57). The Examiner asserts that when the signal is transmitted it contains a shield to insure no unauthorized interception of the signal that contains the user specific information(PIN, serial number, encryption key).

4. As per claim 2, Rallis et al. discloses wherein the token interface emitter is communicatively decoupled from the token sensor when the token is not physically coupled with the token interface(see col. 3, lines 18-24).

5. As per claim 3, Rallis et al. discloses wherein the token interface includes a USB port(14)(see fig. 1A, sheet 1).

6. As per claim 5, Rallis discloses wherein the token interface further includes, a token interface sensor configured to received the signal produced by token emitter when the token is physically coupled with the token interface(see col. 5, lines 51-57).

7. As per claim 6, Rallis inherently discloses wherein the token emitter emits a second signal including information describing information describing the intensity of the signal, because Rallis discloses an IR signal. The Examiner asserts that when a user has a sensor that is an IR signal, and then the signal transmits the intensity, because the sensor senses when the user is in a certain range(see col. 5, lines 51-57, col. 6, lines 7-10) .

8. As per claim 8, Rallis discloses securing a token having a USB-compliant interface(14) from unauthorized use(see fig. 1A, sheet 1), accepting the token in an input device having a token interface(see fig. 1A, sheet 1); accepting a user-entered personal identifier in the input device(see col. 2, lines 62-65); and transmitting the user-entered personal identifier to the token via a communication path distinct from the USB-compliant interface(see col. 5, lines 51-57).

9. As per claim 9, Rallis et al. discloses wherein the step of transmitting the user entered personal identifier to the token via a communication path independent from the USB-compliant interface(see col. 5, lines 51-57); includes generating a first signal, inherently disclosed in Rallis, because Rallis discloses a IR device, and receiver. The Examiner asserts that an IR device

Art Unit: 2131

transmits signals, and Rallis discloses having information including the user-entered personal identifier(see col. 5, lines 58-61); and emitting the generated signal in the token interface for reception by a token sensor(see col. 5, lines 58-61, col. 6, lines 7-13).

10. As per claim 10, Rallis discloses the step of receiving the generated first signal in a token sensor(see col. 1, lines 60-62).

11. As per claim 11, Rallis discloses accepting the token in a input device having a token interface including a USB compliant port(14)(see fig. 1A, sheet 1) includes, shielding the signal to confine reception of the signal to the sensor, Rallis et al. inherently discloses this, because Rallis discloses a user aligns the IR key device with the IR port, and transmits a message that includes the key device and serial number, and the encryption key(see col. 5, lines 51-57). The Examiner asserts that when the signal is transmitted it contains a shield to insure no unauthorized interception of the signal that contains the user specific information(PIN, serial number, encryption key).

12. As per claim 12, Rallis discloses the method includes the step of determining if the token is accepted in the device; and the user-entered personal identifier is transmitted to the token via a communication path independent from the USB compliant interface only if the token is determined to be accepted by the input device(see col. 1, lines 61-64, col. 2, lines 59-65).

13. As per claim 13, Rallis inherently discloses the step of determining if the token is accepted in the input device includes the step of sensing a connect signal, because Rallis discloses an IR key device that must receive an IR pulse(i.e. connect signal)(see col. 6, lines 7-10).

14. As per claim 14, Rallis discloses the step of determining if the token has been accepted by the input device includes receiving a second signal produced by a token emitter when the token is accepted by the token interface, because Rallis discloses that an IR key device transmits a PIN to the notebook computer. The Examiner asserts that this signal is accepted if the PIN is correct(see col. 1, lines 61-64), col. 2, lines 59-65).

15. As per claim 15, Rallis discloses the step of determining if the token has been accepted by the input device includes receiving a second signal produced by a token emitter after the token sensor receives a third signal in the token interface, because if the user's pin is incorrect, the notebook shuts down(see col. 2, lines 3-10). The Examiner asserts that the third signal is the user's pin that is incorrect.

16. As per claims 7, 16, Rallis discloses receiving a second signal produced by a token emitter(see col. 1, lines 61-64, col. 2, lines 59-65), the second signal including information describing the intensity of the first signal; and controlling the intensity of the first signal; and controlling the intensity of the first signal according to the information describing the intensity of the first signal received from the second signal. Rallis inherently discloses the intensity of the signals, because The Examiner asserts that when a user has a sensor that is an IR signal, and then the signal transmits the intensity, because the sensor senses when the user is in a certain range(see col. 5, lines 51-57, col. 6, lines 7-10), and Rallis also discloses that messages are transmitted(see col. 5, lines 54-61, col. 6, lines 7-12) .

17. As per claim 17, Rallis discloses disabling transmission of the user-entered personal identifier until detection of the acceptance of the token to the USB port(see col. 2, line 67, col. 3, lines 1-3, 18-24, fig. 1A, sheet 1).

Art Unit: 2131

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E Jackson whose telephone number is (703) 306-0426. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-0040 for regular communications and (703) 308-6306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



\*\*\*

September 27, 2003

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100